

**UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA**

**U.S.A. vs. Victor Darnell Berry**

**Docket No. 5:20-CR-259-1D**

**Petition for Action on Conditions of Pretrial Release**

COMES NOW Taylor R. O'Neil, U.S. Probation Officer of the court, presenting an official report upon the conduct of defendant, Victor Darnell Berry, who was placed under pretrial release supervision by the Honorable Robert T. Numbers, II, U.S. Magistrate Judge, sitting in the Court at Raleigh, on the 27th day of July, 2020.

On February 8, 2021, a notice was submitted to the court after the defendant tested positive for marijuana on January 26, 2021. The defendant admitted to using CBD and was directed to cease use. The defendant was continued on supervision under the previously imposed conditions.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On April 20, 2021, the defendant tested positive for marijuana. On April 28, 2021, laboratory confirmation results were received. The defendant admitted that he has continued to utilize CBD products.

**PRAYING THAT THE COURT WILL ORDER**

When confronted with the current positive, the defendant stated that he did not remember being told that he cannot use CBD. He was verbally reprimanded and reminded of this directive. He relayed that he would cease all use of CBD products going forward and will cooperate with all treatment recommendations and testing requirements. There are no other compliance issues currently. It is recommended that the defendant remain on pretrial supervision under the previously imposed conditions. Arraignment in this matter is currently set for the July 6, 2021, term of court and a Release Status Report will be submitted to the court accordingly with an update of the defendant's conduct.

Reviewed and approved,


I declare under penalty of perjury that the foregoing is true and correct.

/s/ Maurice J. Foy  
Maurice J. Foy  
Supervising U.S. Probation Officer

/s/ Taylor R. O'Neil  
Taylor R. O'Neil  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 919-861-8698  
Executed On: May 18, 2021

**ORDER OF THE COURT**

Considered and ordered on May 18, 2021 . It is further ordered that this document shall be filed and made a part of the records in the above case.

  
Robert T. Numbers, II  
United States Magistrate Judge

**FOR JUDGE'S VIEW ONLY**  
**DO NOT FILE**



**Victor Darnell Berry**  
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